

REMARKS/ARGUMENTS

Claims 1, 2, 3, and 9 are amended. Claim 4 is cancelled without prejudice. Claim 1 is amended to recite first and second articulation connections. Support for this amendment may be found in claims 3 and 4. Minor amendments are made to claims 2 and 3 to be consistent with the amendments to claim 1. Claim 9 is amended to delete the parenthesis as requested in the Office Action. Applicants respectfully request favorable reconsideration.

Allowable Subject Matter

The Office Action indicated that claim 3 contains allowable subject matter. Previously presented claim 3 recited that the articulation connection comprises two separate articulated connections. The Office Action stated that the cited prior art “broadly show the use of a single articulating means to improve apparatus movement.” Because claim 3 recited two separate articulated connections and the cited prior art only show “a single articulating means,” Applicants believe the amendment to Claim 1 defining first and second articulation connections renders claim 1 allowable and in condition for allowance.

Claim Rejections – 35 USC § 112

The Office Action rejected claims 2 and 9 under Section 112, second paragraph, as being indefinite. In Office Action objected to claim 2 because “the crusher section” has no proper antecedent basis. Applicants respectfully submit that proper antecedent basis is provided in the preamble of claim 1, which recites “a second part is ***a crusher section*** to receive raw material from the feeder section.” The Office Action objected to the parenthesis in claim 9. Claim 9 has been amended to remove the parenthesis. Applicants respectfully request withdrawal of the rejections under Section 112, second paragraph.

Claim Rejections – 35 USC § 103

The Office Action rejected claims 1, 2, and 4-9 under Section 103(a) as being unpatentable over EP0327678 in view of either Frick (U.S. Pat. No. 5,460,332) or Conner ‘967 (U.S. Pat. 5,878,967). As stated in the Office Action, these prior art references disclose the use

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of a single articulating means. They do not show a mobile 3-part crusher assembly in which the discharge section is coupled to the remainder of the assembly via a first articulation section and a second articulation section as defined in claim 1. Accordingly, Applicants respectfully submit that claims 1, 2, and 4-9 would not have been obvious to a person having ordinary skill in the art from the cited prior art. Applicants respectfully request withdrawal of the rejection under Section 103(a).

Applicants respectfully request that a timely Notice of Allowance be issued in this case. If there are any remaining issues preventing allowance of the pending claims that may be clarified by telephone, the Examiner is requested to call the undersigned.

Respectfully submitted,

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The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 50-0843.
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